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3773 Howard Hughes Parkway, Ste. 500 N
Las Vegas, Nevada 89109
4 Tel: (702) 792-3773
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5

6 **KRONENBERGER HANLEY, LLP**
7 Karl S. Kronenberger (CA Bar No. 226112)
Terri R. Hanley (CA Bar No. 199811)
220 Montgomery Street, Suite 1920
8 San Francisco, CA 94104
Telephone: (415) 955-1155
Facsimile: (415) 955-1158
9

10 Attorneys for Plaintiff
11

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 **ST. MATTHEW'S UNIVERSITY**
15 **(CAYMAN) LTD., a Cayman Islands**
company,

16 Plaintiff,

17 vs.

18 **SABA UNIVERSITY SCHOOL OF**
19 **MEDICINE FOUNDATION, a**
Netherland-Antilles company, et al.,

20 Defendants.

21 Case No. CV-S-05-0848-BES
22

23 **DECLARATION OF TERRI R. HANLEY**
IN SUPPORT OF PLAINTIFF'S
MOTION FOR ALTERNATIVE
SERVICE OF SUMMONS ON
DEFENDANT MEDICAL UNIVERSITY
OF THE AMERICAS

24 I, Terri R. Hanley, counsel of record for Plaintiff St. Matthew's University
(Cayman) Ltd. ("ST. MATTHEW'S") in the above-captioned action, declare the following:

25 1. On December 30, 2005, ST. MATTHEW'S mailed a request for waiver of
26 service of summons for MUA to attorney Michael Angelini, attorney of record for
27 Defendants FREDRICK, and HOUGH, a true and correct copy of which is attached
28 hereto as Exhibit D.

Case No. CV-S-05-0848-BES

1 DECLARATION OF TERRI R. HANLEY

1 2. On March 31, 2006, ST. MATTHEW'S attempted service of Summons on
2 Dr. Sewell H. Dixon, Executive Dean of MUA via U.S. Certified Mail, to the address 6725
3 Fairview Rd. A, Charlotte, NC 28210, in a manner consistent with North Carolina Rule of
4 Civil Procedure 4(6)(c), pursuant to Fed. Rule of Civ. Proc. 4(h)(1). However, the U.S.
5 Postal Service returned the service package to ST. MATTHEW'S as undeliverable.

6 3. On or about March, 2006, ST. MATTHEW'S contracted process servers to
7 personally serve Joseph Chu, M.D. M.P.H., Chief Executive Officer of MUA, at
8 University of Washington, 1058 East Lynn Street, Seattle, WA 98102, where he is a
9 professor of epidemiology.

10 4. To date, the process servers have been, despite several attempts, unable
11 to locate and serve Dr. Chu. They have tried to locate a physical address for Dr. Chu on
12 the University of Washington campus but have been unsuccessful. The process servers
13 were told that Dr. Chu does work in laboratory space on campus, but this space was not
14 a dedicated space, and that he migrates from space to space regularly. Additionally, he
15 does not have a personal office on campus. The process servers left many messages
16 for Dr. Chu, but none of these messages were returned.

17 5. An oral request to Defendants' attorneys of record Michael Angelini and
18 Nathan Reinmiller was made during a May 11, 2006 teleconference to accept service on
19 behalf of MUA. Both Mr. Angelini and Mr. Reinmiller rejected this request.

20 6. Attached hereto as Exhibit A is a true and correct copy of a printout of the
21 contact page from Defendant Medical University of the Americas' ("MUA") website.

22 7. Attached hereto as Exhibit B are true and correct copies of a printout from
23 the Secretary of the Commonwealth of the State of Massachusetts' website, which lists
24 the corporate information filed by Defendants Education Information Consultants, Inc.
25 and Educational International Consultants, LLC. (together, "EIC").

26 8. Attached hereto as Exhibit C is a true and correct copy of the Certificate
27 Required By Local Rule 10-6 (#65) filed by Defendant Patricia L. Hough, M.D. and
28 Association of American International Medical Graduates, Inc. on May 17, 2006.

1 I declare under penalty of perjury under the laws of the United States of America
2 that the above is true and correct.
3

4 Dated: July 7, 2006.

5 
6

7 Terri R. Hanley
8 Attorney for Plaintiff
9 ST. MATTHEW'S UNIVERSITY (CAYMAN) LTD.
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KRONENBERGER HANLEY, LLP
220 Montgomery Street, Suite 1920
San Francisco, CA 94104
www.KronenbergerLaw.com

CERTIFICATE OF SERVICE

I am a resident of the state of Nevada, over the age of eighteen years and not a party to this action. My business address is 3773 Howard Hughes Parkway, Suite 500 North, Las Vegas, NV 89169.

On July 7, 2006, I served the following document(s):

1. DECLARATION OF TERRI R. HANLEY IN SUPPORT OF PLAINTIFF'S MOTION FOR ALTERNATIVE SERVICE OF SUMMONS ON DEFENDANT MEDICAL UNIVERSITY OF THE AMERICAS

on the parties listed below as follows:

NATHAN REINMILLER, ESQ.

Alverson Taylor Mortensen & Sanders
7401 West Charleston Blvd
Las Vegas, NV 89117
Fax: (702) 385-7000

X BY FACSIMILE MACHINE (FAX), by personally transmitting a true copy thereof via an electronic facsimile machine to the fax number listed herein.

BY FIRST CLASS MAIL, by placing a true copy thereof in a sealed envelope, with postage thereon fully prepaid, for collection and mailing, in San Francisco, California, following ordinary business practices, which is deposited with the US Postal Service the same day as it is placed for processing.

BY PERSONAL SERVICE, by personally delivering a true copy thereof to the addressee(s) listed herein at the location listed herein.

BY OVERNIGHT DELIVERY containing a true copy thereof to the
addressee(s) listed herein at the location listed herein.

BY EMAIL to the addresses listed above.

(State) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Sam S. Whitehead
Employee of Greenberg
Traurig, LLP

TABLE OF EXHIBITS

EXHIBIT A

Defendant MUA's Contact Information From Their Website

EXHIBIT B

Corporate Information for Defendant EICs

EXHIBIT C

Certificate Required By Local Rule 10-6 (#65)

EXHIBIT D

Waiver of Service of Summons for Defendant MUA

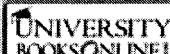
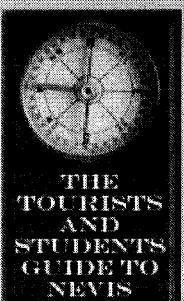
EXHIBIT A
Defendant MUA's Contact Information From Their Website

[Quick Find](#) | [Contact Us](#)

MEDICAL UNIVERSITY OF THE AMERICAS

You Are Here  [Other](#) • [Contact Us](#)**Navigation Menu**

- [Home](#)
- [Admissions](#)
- [Financial Information](#)
- [Academics & Registrar](#)
- [Curriculum](#)
- [Student Life](#)
- [Faculty & Staff](#)
- [Alumni & Residencies](#)

▼ Contacts/FAQs[Contact Us](#)[FAQs](#)[Employment Opportunities](#)[Links](#)**Apply Online****Hurricane Policy****U.S. Information Office**

Mailing Address Education International Consultants, Inc.
 P.O. Box 505
 Gardner, MA 01440, USA

Telephone (978) 632-1599

Fax (978) 630-3851

Email admissions@mua.edu

**Nevis Campus Office**

Mailing Address Medical University Of The Americas
 P.O. Box 701
 Charlestown, Nevis, West Indies

Telephone 869-469-9177

Fax 869-469-9180

Email medschool@caribsurf.com

**Inquires on faculty positions**

Mailing Address Dr. Barbara Van Rentergham

Email bvanrent@saba.edu

Tuition Payment

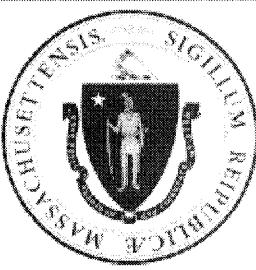
Mailing Address Medical University of the Americas
 P.O. Box 505
 Gardner, MA 01440

[Home](#) | [Admissions](#) | [Registrar](#) | [Curriculum](#) | [Student Life](#) | [Alumni & Residencies](#) | [Other](#) | [Contact Us](#) | [Application](#)

U.S. Information Office
 Education International Consultants, Inc.
 P.O. Box 505
 Gardner, MA 01440, USA
 Telephone (978) 632-1599
 Fax (978) 630-3851
admissions@mua.edu

Nevis Campus Office
 Medical University Of The Americas
 P.O. Box 701
 Charlestown, Nevis, West Indies
 Telephone 869-469-9177
 Fax 869-469-9180
medschool@caribsurf.com

EXHIBIT B
Corporate Information for Defendant EICs



The Commonwealth of Massachusetts William Francis Galvin

Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts
02108-1512
Telephone: (617) 727-9640

EDUCATION INFORMATION CONSULTANTS, INC. Summary Screen

[?](#)
Help with this form

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The exact name of the Domestic Profit Corporation: EDUCATION INFORMATION CONSULTANTS, INC.

Entity Type: Domestic Profit Corporation

Identification Number: 043310931

Old Federal Employer Identification Number (Old FEIN): 000533543

Date of Organization in Massachusetts: 04/11/1996

Current Fiscal Month / Day: 12 / 31

Previous Fiscal Month / Day: 00 / 00

The location of its principal office in Massachusetts:

No. and Street: 63 WALNUT ST.

City or Town: GARDNER State: MA Zip: 01440 Country: USA

If the business entity is organized wholly to do business outside Massachusetts, the location of that office:

No. and Street:

City or Town: State: Zip: Country:

The name and address of the Registered Agent:

Name: DR. DAVID L. FREDRICK

No. and Street: 63 WALNUT STREET

City or Town: GARDNER State: MA Zip: 01440 Country: USA

The officers and all of the directors of the corporation:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Expiration of Term
PRESIDENT	DAVID FREDRICK	74 EDGELL ST., GARDNER, MA USA	

TREASURER	DAVID FREDRICK	74 EDGELL ST., GARDNER, MA 01440 USA
SECRETARY	DAVID FREDRICK	74 EDGELL ST., GARDNER, MA 01440 USA
DIRECTOR	DAVID FREDRICK	74 EDGELL ST., GARDNER, MA 01440 USA

business entity stock is publicly traded:

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	
CWP	\$10.00000	1,000	\$10,000.00	1,000

Consent Manufacturer Confidential Data Does Not Require Annual Report
 Partnership Resident Agent For Profit Merger Allowed

Select a type of filing from below to view this business entity filings:

ALL FILINGS
 Administrative Dissolution
 Annual Report
 Application for Reinstatement
 Application For Revival

[View Filings](#)

[New Search](#)

Comments



MA SOC Filing Number: 200514176310 Date: 05/03/2005 3:53 PM Minimum Fee: \$500.00

The Commonwealth of Massachusetts

William Francis Galvin

Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-1512

Telephone: (617) 727-9640

Certificate of Organization

(General Laws, Chapter)

Federal Employer Identification Number: 202076744 (must be 9 digits)

1. The exact name of the limited liability company is: EDUCATIONAL INTERNATIONAL CONSULTANTANTS, LLC

2. Location of its principal office is:

No. and Street: 63 WALNUT STREET
 City or Town: GARDNER State: MA Zip: 01440 Country: USA

3. The general character of business, and if the limited liability company is organized to render professional service, the service to be rendered:

MANAGEMENT CONSULTING SERVICES FOR FOREIGN MEDICAL SCHOOLS.

4. The latest date of dissolution, if specified:

5. Name and address of the Resident Agent is:

Name: DAVID L. FREDRICK
 No. and Street: 63 WALNUT STREET
 City or Town: GARDNER State: MA Zip: 01440 Country: USA

6. The name and business address of each manager:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
MANAGER	DAVID LEON FREDRICK	63 WALNUT STREET GARDNER, MA 01440 USA

7. The name and business address of the person in addition to the manager, who is authorized to execute documents to be filed with the Corporations Division, and at least one person shall be named if there are no managers.

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
SOC SIGNATORY	DAVID LEON FREDRICK	63 WALNUT STREET GARDNER, MA 01440 USA

8. The name and business address of the person(s) authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property:

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
REAL PROPERTY	DAVID LEON FREDRICK	63 WALNUT STREET GARDNER, MA 01440 USA

9. Any additional matters the authorized persons determine to include therein:

**SIGNED UNDER THE PENALTIES OF PERJURY, this 3 Day of May, 2005,
DAVID L. FREDRICK**

(The certificate must be signed by the person forming the LLC.)

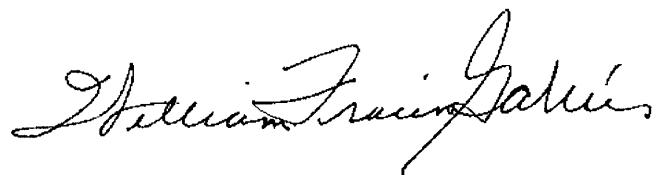
© 2001 - 2005 Commonwealth of Massachusetts
All Rights Reserved

THE COMMONWEALTH OF MASSACHUSETTS

I hereby certify that, upon examination of this document, duly submitted to me, it appears that the provisions of the General Laws relative to corporations have been complied with, and I hereby approve said articles; and the filing fee having been paid, said articles are

deemed to have been filed with me on:

May 03, 2005 3:53 PM

A handwritten signature in black ink, appearing to read "William Francis Galvin".

WILLIAM FRANCIS GALVIN

Secretary of the Commonwealth

EXHIBIT C

Certificate Required By Local Rule 10-6 (#65)

1 NATHAN R. REINMILLER, ESQ.
2 Nevada Bar No. 6793
3 ALVERSON, TAYLOR,
4 MORTENSEN & SANDERS
5 7401 W. Charleston Boulevard
6 Las Vegas, NV 89117
7 Tel: (702) 384-7000
8 Fax: (702) 385-7000
9 Attorney for Defendants
10 PATRICIA L. HOUGH, M.D.; and
11 ASSOCIATION OF AMERICAN
12 INTERNATIONAL MEDICAL
13 GRADUATES, INC.

14 UNITED STATES DISTRICT COURT

15 DISTRICT OF NEVADA

16 ST. MATTHEW'S UNIVERSITY) Case No.: CV-S-05-0848-RCJ (LRL)
17 (CAYMAN) LTD., a Cayman Islands)
18 company,)
19 Plaintiff,)
20 v.)
21)

22 SABA UNIVERSITY SCHOOL OF)
23 MEDICINE FOUNDATION, a Netherland-)
24 Antilles company; MEDICAL)
25 UNIVERSITY OF THE AMERICAS, a St.)
26 Kitts & Nevis company; EDUCATION)
27 INFORMATION CONSULTANTS, INC., a)
28 Massachusetts corporation; EDUCATIONAL)
INTERNATIONAL CONSULTANTS, LLC,)
a Massachusetts limited liability company;)
PATRICIA L. HOUGH, M.D., an individual,)
and d.b.a. "Saba University School of)
Medicine"; DAVID L. FREDRICK, an)
individual; PANKAJ DESAI, M.D., an)
individual; ASSOCIATION OF AMERICAN)
INTERNATIONAL MEDICAL)
GRAUDATES, INC., a Nevada corporation,)
a.k.a. "aaimg@yahoo.com"; THOMAS)
MOORE, M.D. a.k.a.)
"presaaimg@hotmail.com" and)
"crocdoc2004@netzero.net," an individual;)
SARAH B. WEINSTEIN a.k.a.)
"execsecaaimg@hotmail.com," an individual;)
RACHAEL E. SILVER, an individual; and)
DIEDRE MOORE, an individual,)
Defendants.)

**CERTIFICATE REQUIRED BY LOCAL
RULE 10-6**

CERTIFICATE REQUIRED BY LOCAL RULE 10-6

The undersigned counsel of record for Defendants Patricia L. Hough, M.D. and Association of American International Medical Graduates, Inc. hereby certify that they are not aware of any interested parties other than those presently participating in the case. This representation is made to enable judges of the court to evaluate possible recusal.

DATED this 1 day of May, 2006.

ALVERSON, TAYLOR,
MORTENSEN & SANDERS

NATHAN R. REINMILLER, ESQ.
Nevada Bar No. 6793
7401 W. Charleston Boulevard
Las Vegas, NV 89117
Attorney for Defendants
PATRICIA L. HOUGH, M.D.; and
ASSOCIATION OF AMERICAN
INTERNATIONAL MEDICAL
GRADUATES, INC.

CERTIFICATE OF MAILING

I hereby certify that on this ____ day of May, 2006, I did deposit in the United States Post Office, with postage fully prepaid thereon, a copy of the above and foregoing **CERTIFICATE REQUIRED BY LOCAL RULE 10-6** addressed to:

REQUIRED BY LOCAL RULE 10-6 addressed to:

Mark G. Tratos, Esq.
F. Christopher Austin, Esq.
Ronald D. Green, Jr., Esq.
GREENBERG TRAURIG LLP
3773 Howard Hughes Pkwy., Ste. 500N
Las Vegas, NV 89109
Attorney for Plaintiff

Karl S. Kronenberger, Esq.
Terri R. Hanley, Esq.
KRONENBERGER & ASSOCIATES
220 Montgomery St., Ste. 1920
San Francisco, CA 94104
Attorney for Plaintiff

An Employee of ALVERSON, TAYLOR,
MORTENSEN & SANDERS

N:\bruce.grp\Z-client\15989\15989Certificate Local Rule 10-6.wpd

EXHIBIT D
Waiver of Service of Summons for Defendant MUA

WAIVER OF SERVICE OF SUMMONS

TO: Karl S. Kronenberger

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I, David L. Fredrick

(DEFENDANT NAME)

that I waive service of summons in the action of

St. Matthew's University v. Saba University School of Medicine, et al.

(CAPTION OF ACTION)

which is case number Case No. CV-S-05-0848-RCJ (LRL) in the United States District Court
(DOCKET NUMBER)

for the

District of Nevada

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after December 30, 2005,
(DATE REQUEST WAS SENT)
or within 90 days after that date if the request was sent outside the United States.

(DATE)

(SIGNATURE)

Printed/Typed Name: David L. Fredrick

As Medical University of the Americas
(TITLE) of (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.